



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No. None

BERKELEY LAW & TECHNOLOGY GROUP
1700NW 167TH PLACE
SUITE 240
BEAVERTON OR 97006

COPY MAILED
SEP 06 2006
OFFICE OF PETITIONS

In re Application of	:
Chun-Jen Chen et al.	:
Application No. 10/034,860	: DECISION ON PETITION
Filed: December 27, 2001	: UNDER 37 C.F.R. §1.181
Attorney Docket No.: JCLA7620	:
Title: CIRCUIT OF SCANNER TO	:
PERFORM COLOR SPACE CONVERSION	:
ON RGB SIGNAL	:
	:

This is a decision on the petition filed June 12, 2006, pursuant to 37 C.F.R. §1.181, requesting that the holding of abandonment in the above-identified application be withdrawn.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed August 25, 2005, which set a shortened statutory period for reply of three months. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on November 26, 2005. A notice of abandonment was mailed on April 10, 2006.

With the present petition, Petitioner has asserted that a response was submitted on November 23, 2005, and has submitted a postcard receipt which contains a date stamp from the Office of Initial Patent Examination dated November 28, 2005.

Petitioner has submitted a copy of this submission, and it is noted that it contains a certificate of mailing dated November 23, 2005.

The electronic file has been reviewed, and a copy of this response has been located in the same.

Petitioner has requested that the holding of abandonment in the above-identified application be withdrawn. It is clear that a response was timely submitted on November 23, 2005. Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that Petitioner has met his burden of establishing that a submission was timely submitted.

Accordingly, the petition under 37 C.F.R. §1.181(a) is GRANTED. The holding of abandonment is **WITHDRAWN**.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the amendment which was received on November 28, 2005 can be processed.

The Power of Attorney has been entered and made of record.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225¹. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanoski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

¹ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. §1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).